



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

2007 FEB -7 AM 11:00

EPA REGION VIII
HEARING CLERK

FEB - 7 2007

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Wayne Kern, Director
Drinking Water Program
Division of Municipal Facilities
Environmental Health Section
North Dakota Department of Health
918 East Divide Avenue
Bismarck, North Dakota 58501-1947

NOTICE OF VIOLATION

Docket No. **SDWA-08-2007-0028**

City of Garrison
PO Box 459
Garrison, ND 58540-0459
PWS ID# ND2800389

Dear Mr. Kern:

The above referenced public drinking water system ("System") has violated certain provisions of the Safe Drinking Water Act ("SDWA"), 42 U.S.C. § 300f, et seq., and the National Primary Drinking Water Regulations at 40 C.F.R. part 141. The violations consist of exceeding the maximum contaminant level ("MCL") for total trihalomethanes ("TTHM"), exceeding monthly combined filter and maximum combined filter effluent turbidity levels, failure to provide public notice of violations, and failure to monitor as required by the interim enhanced surface water treatment rule. Our records, obtained from the Safe Drinking Water Information System ("SDWIS") and from System sample results provided by the State, indicate the violations noted on the following page. Please notify Jeff McPherson of my staff at (303) 312-6362 within 20 days if your records show any discrepancies with these determinations of violation.



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Dates of Violations

Violation

1st and 2nd Quarter 2006

Exceeded the MCL for total trihalomethanes ("TTHM")
[40 C.F.R. § 141.64(a)]

March 2005

Exceeded the maximum combined filter effluent turbidity
level of 1.0 nephelometric turbidity unit ("NTU")
[40 C.F.R. § 141.551(b)]

Beginning in February 2005

Failure to provide public notice [40 C.F.R. § 141.201]

January and February 2005

Exceeded monthly combined filter effluent turbidity level
of 0.3 NTUs [40 C.F.R. § 141.551(a)]

January 2005

Failure to monitor filter turbidity as required by the
interim enhanced surface water treatment rule
[40 C.F.R. § 141.74(c)]

This NOTICE OF VIOLATION is issued pursuant to section 1414(a) of the SDWA, 42 U.S.C. § 300g-3(a). If the State does not commence appropriate enforcement action within 30 days from the receipt of this notification, EPA is authorized either to issue an Administrative Order under section 1414(g) of the SDWA, 42 U.S.C. § 300g-3(g), requiring the public water system to comply with the regulations or requirements, or to commence civil action under section 1414(b) of the SDWA, 42 U.S.C. § 300g-3(b).

Please inform EPA of any change in the compliance status of this system. You may wish to confer with my staff to determine the Agency's position concerning this system and to exchange appropriate information. If the State does not commence appropriate enforcement action within 30 days from the receipt of the notification, EPA will proceed with issuance of an administrative order. Our technical contact is Jeff McPherson at (303) 312-6362.

A copy of this NOTICE OF VIOLATION has been concurrently sent to the system identified above.

Sincerely,



Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



David J. Janik, Acting Director
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: David Reinarts, Mayor – via certified mail/return receipt requested
Alan Begreis, Drinking Water Operator – via certified mail/return receipt requested
Larry Thelen, ND Drinking Water Administrator